

4VAC15-90-89

Game: Deer: Earn a buck (EAB)

Summary:

The proposal is to (i) initiate EAB on private lands in Accomack, Amherst (west of Route 29), Carroll, Greene, Madison, Orange, Rockingham (east of Routes 613 and 731), Stafford, and Wythe counties, (ii) change the EAB requirement in Clarke, Frederick, and Warren counties from a two to one EAB requirement to a one to one EAB requirement, (iii) change the EAB requirement in James City and York counties from a one to one EAB requirement to a two to one EAB requirement, and (iv) reformat the regulation text.

Proposed language of amendment:

4VAC15-90-89. Earn a buck (EAB).

For the purposes of this section, the term "license year" defines the period between July 1 and June 30 of the following year.

~~Albemarle County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Albemarle County prior to taking at least one antlerless deer on private lands in Albemarle County, and it shall be unlawful to take a third antlered deer on private lands in Albemarle County prior to taking at least two antlerless deer on private lands in Albemarle County.~~

~~Arlington County. During a license year, it shall be unlawful to take a second antlered deer in Arlington County prior to taking at least two antlerless deer in Arlington County, and it shall be unlawful to take a third antlered deer in Arlington County prior to taking at least three antlerless deer in Arlington County.~~

~~Bedford County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Bedford County prior to taking at least one antlerless deer on private lands in Bedford County, and it shall be unlawful to take a third antlered deer on private lands in Bedford County prior to taking at least two antlerless deer on private lands in Bedford County.~~

~~Clarke County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Clarke County prior to taking at least two antlerless deer on private lands in Clarke County.~~

~~Culpeper County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Culpeper County prior to taking at least one antlerless deer on private lands in Culpeper County, and it shall be unlawful to take a third antlered deer on private lands in Culpeper County prior to taking at least two antlerless deer on private lands in Culpeper County.~~

~~Fairfax County. During a license year, it shall be unlawful to take a second antlered deer in Fairfax County prior to taking at least two antlerless deer in Fairfax County, and it shall be unlawful to take a third antlered deer in Fairfax County prior to taking at least three antlerless deer in Fairfax County.~~

~~Fauquier County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Fauquier County prior to taking at least one antlerless deer on private lands in Fauquier County, and it shall be unlawful to take a third antlered deer on private lands in Fauquier County prior to taking at least two antlerless deer on private lands in Fauquier County.~~

~~Floyd County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Floyd County prior to taking at least one antlerless deer on private lands in Floyd County.~~

~~Franklin County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Franklin County prior to taking at least one antlerless deer on private lands in Franklin County, and it shall be unlawful to take a third antlered deer on private lands in Franklin County prior to taking at least two antlerless deer on private lands in Franklin County.~~

~~Frederick County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Frederick County prior to taking at least two antlerless deer on private lands in Frederick County.~~

~~Grayson County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Grayson County prior to taking at least one antlerless deer on private lands in Grayson County.~~

~~Hanover County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Hanover County prior to taking at least one antlerless deer on private lands in Hanover County, and it shall be unlawful to take a third antlered deer on private lands in Hanover County prior to taking at least two antlerless deer on private lands in Hanover County.~~

~~Henrico County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Henrico County prior to taking at least one antlerless deer on private lands in Henrico County, and it shall be unlawful to take a third antlered deer on private lands in Henrico County prior to taking at least two antlerless deer on private lands in Henrico County.~~

~~James City County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in James City County prior to taking at least one antlerless deer on private lands in James City County, and it shall be unlawful to take a third antlered deer on private lands in James City County prior to taking at least two antlerless deer on private lands in James City County.~~

~~Loudoun County. During a license year, it shall be unlawful to take a second antlered deer in Loudoun County prior to taking at least two antlerless deer in Loudoun County, and it shall be unlawful to take a third antlered deer in Loudoun County prior to taking at least three antlerless deer in Loudoun County.~~

~~Montgomery County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Montgomery County prior to taking at least one antlerless deer on private lands in Montgomery County.~~

~~Prince George County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Prince George County prior to taking at least one antlerless deer on private lands in Prince George County, and it shall be unlawful to take a third antlered deer on private lands in Prince George County prior to taking at least two antlerless deer on private lands in Prince George County.~~

~~Prince William County except on Department of Defense lands. During a license year, it shall be unlawful to take a second antlered deer in Prince William County (except on Department of Defense lands) prior to taking at least two antlerless deer in Prince William County (except on Department of Defense lands), and it shall be unlawful to take a third antlered deer in Prince William County (except on Department of Defense lands) prior to taking at least three antlerless deer in Prince William County (except on Department of Defense lands).~~

~~Pulaski County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Pulaski County prior to taking at least one antlerless deer on private lands in Pulaski County.~~

~~Rappahannock County. During a license year, it shall be unlawful to take a second antlered deer in Rappahannock County prior to taking at least one antlerless deer in Rappahannock County, and it shall be unlawful to take a third antlered deer in Rappahannock County prior to taking at least two antlerless deer in Rappahannock County.~~

~~Roanoke County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Roanoke County prior to taking at least one antlerless deer on private lands in Roanoke County.~~

~~Shenandoah County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Shenandoah County prior to taking at least one antlerless deer on private lands in Shenandoah County.~~

~~Warren County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in Warren County prior to taking at least two antlerless deer on private lands in Warren County.~~

~~York County on private lands. During a license year, it shall be unlawful to take a second antlered deer on private lands in York County prior to taking at least one antlerless deer on private lands in York County, and it shall be unlawful to take a third antlered deer on private lands in York County prior to taking at least two antlerless deer on private lands in York County.~~

~~Cities and towns. During a license year in any town or city (except Chesapeake, Suffolk, and Virginia Beach) east of the Blue Ridge Mountains, it shall be unlawful to take a second antlered deer prior to taking at least one antlerless deer in that town or city, and it shall be unlawful to take a third antlered deer prior to taking at least two antlerless deer in that town or city. During a license year in any town or city west of the Blue Ridge Mountains, it shall be unlawful to take a second antlered deer prior to taking at least one antlerless deer in that town or city.~~

A. Within a license year and within in each individual county listed in subsection (A)(1), you must have taken at least one antlerless deer on private lands in that county before taking a second antlered deer on private lands in that county. In those counties listed in subsection (A)(1) east of the Blue Ridge Mountains, you must have taken at least two antlerless deer on private lands in that county before taking a third antlered deer on private lands in that county.

1. Accomack, Albemarle, Amherst (west of Route 29), Bedford, Carroll, Clarke, Culpeper, Fauquier, Floyd, Franklin, Frederick, Grayson, Greene, Hanover, Henrico, Madison, Montgomery, Orange, Prince George, Pulaski, Rappahannock, Roanoke, Rockingham (east of Routes 613 and 731), Shenandoah, Stafford, Warren, and Wythe counties.

B. Within a license year and within in each individual county listed in subsection (B)(1), you must have taken at least two antlerless deer on private lands in that county before taking a second antlered deer on private lands in that county. You also must have taken at least three antlerless deer on private lands in that county before taking a third antlered deer on private lands in that county.

1. James City and York counties.

C. Within a license year and within in each individual county listed in subsection (C)(1), you must have taken at least two antlerless deer in that county before taking a second antlered deer in that county. You must also have taken at least three antlerless deer in that county before taking a third antlered deer in that county.

1. Arlington, Fairfax, Loudoun, and Prince William (except on Department of Defense Lands) counties.

D. Within a license year and within any city or town (except the cities of Chesapeake, Suffolk (east of the Dismal Swamp line), and Virginia Beach) you must have taken at least one antlerless deer in that city or town before taking a second antlered deer in that city or town. In those cities and towns east of the Blue Ridge Mountains, you must have taken at least two antlerless deer in that city or town before taking a third antlered deer in that city or town.

E. EAB does not apply to the cities of Chesapeake, Suffolk (east of the Dismal Swamp line), and Virginia Beach.

Rationale:

EAB on private lands in Accomack, Amherst (west of Route 29), Carroll, Greene, Orange, Rockingham (east of Routes 613 and 731), Stafford, and Wythe counties. The private land deer populations in these eight counties are currently above their desired deer population management objective bracket in the Department's deer management plan. All deer seasons (archery, muzzleloading, and firearms) are currently full season either-sex deer hunting on private lands in all these counties. The next step to increase the antlerless deer kill in these counties is to initiate EAB. The addition of EAB should assist in bringing these deer populations back down to their desired level(s).

EAB on private lands in Madison County. The private land deer population index for Madison County is currently within the desired deer population management objective bracket. However, Madison County was added to a new CWD disease management area in fall 2019, and in fall 2020, CWD was detected in Madison County. Additionally, CWD has been found in multiple neighboring counties. Per the deer plan, staff will engage the stakeholder advisory committee who developed the plan to reduce the deer population objectives in this county and possibly other disease management area counties in the near future.

Change the EAB requirement in Clarke, Frederick, and Warren counties. The proposal will reduce the EAB requirement in these three counties from a two to one EAB requirement to a one to one EAB requirement. This will match them up with Shenandoah County, creating a consistent EAB rule on private lands in these four counties. All four of these counties are in a CWD management area and, starting in fall 2021, they are proposed to have both an early September and a late January through March antlerless only firearms deer season. These additional antlerless seasons should more than compensate for scaling back EAB and will provide a more balanced approach to antlered and antlerless harvest, which is an important consideration for CWD management.

Change the EAB requirement in James City and York counties. The proposal will increase the EAB requirement in these two counties from a one to one EAB requirement up to a two to one EAB requirement. The private land deer populations in these two counties are currently above their desired deer population management objective bracket in the Department's deer management plan. The addition of EAB should assist in bringing these deer populations back down to their desired level(s).

Format. Changes in format made in this version do not change the meaning of the regulation but make it more intuitive, readable, and easier to amend as needed in the future.